EN

AT-LARGE ADVISORY COMMITTEE
ALAC Statement on the Proposed Bylaws Changes
Regarding the Technical Liaison Group

Introduction

Rinalia Abdul Rahim, At-Large member from the Asian, Australasian and Pacific Islands Regional At-Large Organization (APRALO) composed an initial draft of this Statement after discussion of the topic within At-Large and on the Mailing Lists.

On 22 November 2013, this Statement was posted on the At-Large Proposed Bylaws Changes Regarding the Technical Liaison Group Workspace.

On 23 November 2013, Olivier Crépin-Leblond, Chair of the ALAC, requested ICANN Policy Staff in support of the ALAC to send a Call for Comments on the draft Statement to all At-Large members via the ALAC-Announce Mailing list.

On 9 December 2013, a version incorporating the comments received was posted on the aforementioned workspace and the Chair requested that Staff open an ALAC ratification vote on the proposed Statement.

On 16 December 2013, Staff confirmed that the online vote resulted in the ALAC endorsing the Statement with 12 votes in favor, 0 votes against, and 0 abstentions. You may review the result independently under: http://www.bigpulse.com/pollresults?code=36124cT4d7h3QB2IDih6zrFg

Summary

1. The ALAC supports the intent of the proposed bylaw changes to increase the availability of technical advice to the Board as well as the effectiveness of the Technical Liaison Group. It is clear that the current modus operandi is not working and that it has not brought any benefit to ICANN in terms of advice. However, the ALAC is concerned that the order in which the changes are presented is out of line with the original recommendations of the Board technical relations WG findings.

2. The ALAC understands that the proposal is not to disband the TLG altogether but to remove the TLG position from the ICANN Board. We call on the ICANN Board to make sure, in the substitution of the TLG position in the Board, that it be structurally replaced by constant access to the necessary technical competence, not only through a structured, distance consultation.

3. The ALAC considers the actual elimination of the position of a technical liaison to the ICANN Board should not occur until, at least, a mechanism to seek regular advice from the Technical Liaison Group (TLG) be founded. This capability should be a permanent one and, provide for the ability of the technical constituencies to provide advice to the Board on an ongoing basis and not merely when requests are made.

4. The ALAC is concerned that the proposed changes in the bylaws removes the TLG from appointing a delegate to the Nominating Committee. Given the concerns of having persons on the Board with sufficient technical expertise, this change should NOT be supported and the TLG should continue to be able to select a delegate to serve on the Nominating Committee.

ALAC Statement on the Proposed Bylaws Changes
Regarding the Technical Liaison Group

The ALAC supports the intent of the proposed bylaw changes to increase the availability of technical advice to the Board as well as the effectiveness of the Technical Liaison Group. It is clear that the current modus operandi is not working and that it has not brought any benefit to ICANN in terms of advice.

However, the ALAC is concerned that the order in which the changes are presented is out of line with the original recommendations of the Board technical relations WG findings, published on (http://www.icann.org/en/groups/reviews/tlg/board-technical-relations-wg-final-report-22aug11-en.pdf)

This report specifically recommends:

> "Recommendation: ICANN should work to strengthen and better institutionalize the mechanisms for obtaining technical advice and input, including at the Board level. It is the recommendation of this Working Group that, given the ICANN Board's current mode of operation, the organization continues to need technical advice and expertise within the Board's deliberations, such as the expertise and advice that has been provided by liaisons appointed by the TLG. A decision to disband the TLG should be made only in conjunction with simultaneously addressing this issue."

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Therefore, the ALAC considers the actual elimination of the position of a technical liaison to the ICANN Board should not occur until, at least, a mechanism to seek regular advice from the Technical Liaison Group (TLG) be founded. This capability should be a permanent one and, provide for the ability of the technical constituencies to provide advice to the Board on an ongoing basis and not merely when requests are made.

The areas that are in perpetual need of advice center on the DNS, both operationally and strategically. Operationally, advice is continuously required on issues related to DNS security, stability and resiliency as they are affected by developments in ICANN's area of work such as TLD expansion, IDN TLD and upcoming Variant TLD delegation. Strategically, advice/information is needed on how competition and complements to the DNS may be evolving as a continuous viability assessment for ICANN and its future.

The primary technical constituencies are often thought of as the RSSAC and the SSAC, but it should also be noted that the ALAC, given its broad remit, is able to comment and advise on any aspect of ICANN and can thus offer technical advice should the expertise to provide such advice be readily available in the At-Large community. Moreover, competency in technical matters is not limited to these three groups: it also includes the ASO, which includes the different RIRs, the ccNSO and the IETF, which has a permanent seat on the Board.

Designated technical experts/groups should serve both the watchdog (proactive provision of advice) function as well as provide advice upon request and any request should be allowed to come not only from the Board, but also from the community.

The ALAC also notes the absence of the criteria of reciprocity between the ICANN Board and the Boards of some organizations, specifically the W3C, ITU-T and ETSI, that are part of the Technical Liaison Group (TLG). The ALAC recommends that mechanisms for reciprocal advice be explored for ICANN to improve its links with these organizations.

<u>Nominating Committee (NomCom)</u>

On the subject of removing the TLG Liaison from the Nominating Committee (NomCom), the ALAC is concerned that the proposed changes in the bylaws removes the TLG from appointing a delegate to the NomCom. Yet the recommendation in the Final Report of the Board Technical Relations Working Group (http://www.icann.org/en/groups/reviews/tlg/board-technical-relations-wg-final-report-22aug11-en.pdf) says:

> "The Nominating Committee is designed for broad participation. The TLG provides for participants in the Nominating Committee who are connected to the broader technical community. ICANN should maintain this connection, and should continue the TLG's role of fulfilling it."

A significant part of the Nominating Committee's work is outreach. The TLG Liaison has provided a significant outreach component to technical communities. Given the concerns of having persons on the Board with sufficient technical expertise, this change should NOT be supported and the TLG should continue to be able to select a delegate to serve on the Nominating Committee. Removing this position is likely to hinder the Nominating Committee's Outreach component.